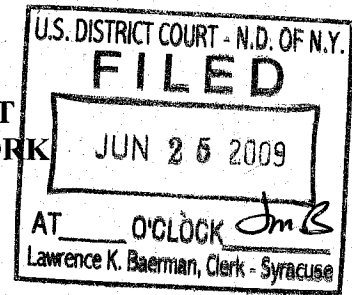


Unsealed

~~SEALED~~

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

v.

INDICTMENT

KEVIN C. IACCARINO,
JOSEPH R. GONZALEZ,
SEAN D. LEE,
CHRISTOPHER P. TORRES, and
LUKE T. MILLER,

3: 09-CR-351
(TJM)

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Defendants.

THE GRAND JURY CHARGES THAT:

COUNT 1

NARCOTICS CONSPIRACY

Between sometime in or about February 2009, and continuing thereafter up to the time of this Indictment, in the Northern District of New York and elsewhere, defendants,

KEVIN C. IACCARINO,
JOSEPH R. GONZALEZ,
SEAN D. LEE,
CHRISTOPHER P. TORRES and
LUKE T. MILLER,

did combine, conspire, confederate, and agree with each other and with others, known and unknown to the Grand Jury, to knowingly and intentionally possess with intent to distribute and distribute cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

On or about February 12 , 2009, in the Northern District of New York, defendants,

LUKE T. MILLER,

knowingly and intentionally possessed with intent to distribute cocaine, a Schedule II controlled substance. Defendant **JOSEPH R. GONZALEZ** aided and abetted the commission of that offense.

All in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT 3

DISTRIBUTION OF COCAINE

On or about February 13, 2009, in the Northern District of New York, defendant,

JOSEPH R. GONZALEZ

knowingly and intentionally distributed cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 4

DISTRIBUTION OF COCAINE

On or about March 5, 2009, in the Northern District of New York, defendant,

JOSEPH R. GONZALEZ

knowingly and intentionally distributed cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 5

DISTRIBUTION OF COCAINE

On or about March 19, 2009, in the Northern District of New York and elsewhere,
defendants,

**JOSEPH R. GONZALEZ and
SEAN D. LEE**

aiding and abetting each other, knowingly and intentionally distributed cocaine, a Schedule II-
controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18,
United States Code, Section 2.

COUNT 6

DISTRIBUTION OF COCAINE

On or about March 31, 2009, in the Northern District of New York, defendant,

JOSEPH R. GONZALEZ

knowingly and intentionally distributed cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 7

DISTRIBUTION OF COCAINE

On or about April 15, 2009, in the Northern District of New York, defendant,

JOSEPH R. GONZALEZ

knowingly and intentionally distributed cocaine, a Schedule II controlled substance. Defendant
SEAN D. LEE aided and abetted the commission of that offense.

All in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United
States Code, Section 2.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 8

DISTRIBUTION OF COCAINE

On or about April 23, 2009, in the Northern District of New York, the defendants,

**JOSEPH R. GONZALEZ,
KEVIN C. IACCARINO, and
SEAN D. LEE**

aiding and abetting each other, knowingly and intentionally distributed cocaine, a Schedule II-controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT 9

DISTRIBUTION OF COCAINE

On or about May 5, 2009, in the Northern District of New York, defendants,

**JOSEPH R. GONZALEZ,
KEVIN C. IACCARINO, and
SEAN D. LEE**

aiding and abetting each other, knowingly and intentionally distributed cocaine, a Schedule II-controlled substance.

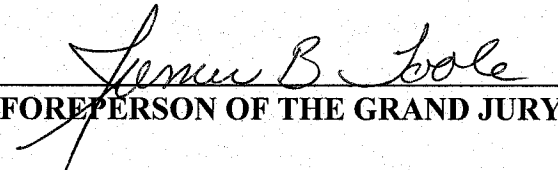
All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Allegations as to Prior Felony Narcotics Convictions:

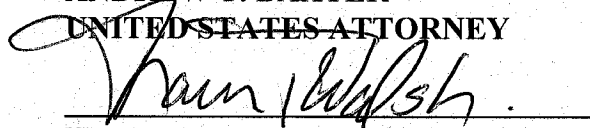
Defendant **KEVIN C. IACCARINO** committed the offenses charged in Counts 1, 8 and 9 after having been convicted of felony narcotics offenses, and after such convictions became final. Specifically, on or about May 15, 2000, Defendant **KEVIN C. IACCARINO** was convicted of the crime of Attempted Criminal Possession of a Controlled Substance in the Third Degree, in violation of Section 220.16(1) and 110.00 of the New York State Penal Law, a Class C felony offense. In addition, on or about March 5, 1999 defendant **KEVIN C. IACCARINO** was convicted of the crime of Attempted Criminal Possession of a Controlled Substance in the Third Degree, a Class C felony drug offense in violation of Sections 220.16(1) and 110.00 of the New York State Penal Law. As a result, defendant **KEVIN C. IACCARINO** is subject to the enhanced penalty provisions of Title 21, United States Code, Section 841(b)(1)(C).

A TRUE BILL

Dated: June 25, 2009
Syracuse, New York


FOREPERSON OF THE GRAND JURY

ANDREW T. BAXTER
UNITED STATES ATTORNEY


By: Thomas P. Walsh
Assistant U.S. Attorney
Bar Roll No. 102777